

# Notice of Allowability

## Application No.

10/021,212

## Examiner

Kirsten C Jolley

## Applicant(s)

ARNDT, DOUGLAS C.

## Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 12/22/03.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 10/26/01 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets" ) must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948 ) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Art Unit: 1762

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Harold Jackson on February 27, 2004.

The application has been amended as follows:

In claim 11, line 24, a period has been added at the end of the claim.

In claim 16, line 2, a colon has been added after "metals".

Claim 5 (Currently Amended):

The method of claim 4 wherein the color former comprises one or more metal salts, where the metal[s] of the metal salts [are] is selected from the groups listed in the periodic table under columns 5A, 6A, 7A, 8A, 1B, 2B, 3B, 4B, 5B, and 7B.

Claim 6 (Currently Amended):

The method of claim 5 wherein the [color former] metal of the metal salt is selected from one or more of the following transition metals [salts]: iron [ferric chloride], titanium, vanadium, chromium, magnesium, cobalt, nickel, copper, zirconium, zinc, niobium, molybdenum, silver, tantalum and tungsten.

Claim 15 (Currently Amended):

The method of claim 13 wherein the color former comprises one or more metal salts, where the metal[s] of the metal salts [are] is selected from the groups listed in the periodic table under columns 5A, 6A, 7A, 8A, 1B, 2B, 3B, 4B, 5B, and 7B.

2. The following is an examiner's statement of reasons for allowance:

The objections to the specification and claims, and 35 USC 112, 2<sup>nd</sup> paragraph rejections, have been withdrawn in response to Applicant's amendments to the specification and claims.

The 35 USC 103(a) rejections over Leavitt et al. in view of Meadows et al. and Streeter et al. have been withdrawn in response to the inventor's statement on page 3 of the Declaration filed December 22, 2003 that the inkless reagent referred to in the Streeter et al. patent had a viscosity of about 100 cps and is not a semi-solid. The Examiner has no evidence to contradict this assertion, therefore it is accepted. While Applicant's Declaration states that the inkless reagent in Streeter et al. was mistakenly referred to as a gel, the Examiner notes that she must take the Streeter et al. reference for its word that the reagent is a gel. However, as discussed above, the Examiner accepts the statement in the Declaration that the viscosity of the reagent referred to in the Streeter et al. patent is about 100 cps and is therefore not a semi-solid. (It is noted that gels are not necessarily semi-solid.)

The 35 USC 103(a) rejections over Leavitt et al. in view of Meadows et al. and Smith, III et al. have been withdrawn because Smith, III et al. teaches a viscosity of its liquid developer solution up to 400 cps (col. 5, line 55). Applicant's Declaration notes that the viscosity of liquid

Art Unit: 1762

castor oil at room temperature is 986 cps (section 11 of the Declaration). Therefore, Smith, III et al.'s developer solution having a viscosity of up to 400 cps is liquid, not semi-solid.

The Examiner also notes Applicant's statement in section 8 of the submitted Declaration that the reference in Leavitt et al. to obtaining "clear finger-prints" means that the prints are of high definition or resolution, not that the prints are made with an inkless composition.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten C Jolley whose telephone number is 571-272-1421. The examiner can normally be reached on Monday to Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive P Beck can be reached on 571-272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

kcj



**SHRIVE P. BECK**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 1700**